

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2006-103378-001 DT

07/15/2009

HON. SALLY S. DUNCAN

CLERK OF THE COURT
M. Cabral
Deputy

STATE OF ARIZONA

CHRISTINA HENDERSON

v.

JASON BRADLEY WHARTON (001)
DOB: 09/22/1971

MICHAEL G BAILEY

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
FINANCIAL SERVICES-CCC
RFR

DISPOSITION HEARING - PROBATION REINSTATED AS TO COUNTS 1 AND 2/

DISPOSITION/PROBATION TERMINATED/REVOKED AS TO COUNT 4

2:40 p.m.

State's Attorney:	Allister Adel
Defendant's Attorney:	Michael Bailey
Defendant:	Present
Court Reporter:	Scott Kindle

The following address the Court on behalf of the Defendant: William Howard Wharton, Cheryl Wharton and Brian Cavender.

AS TO COUNT 4:

IT IS ORDERED revoking the probation previously granted and terminating same as unsuccessfully completed.

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AS TO COUNTS 1 AND 2:

The Court finds Defendant has violated the conditions of probation previously imposed.

The following count(s) are now designated a Felony: Count(s) 1 and 2.

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), continuing the defendant on probation beginning upon absolute discharge from prison for a separate offense in CR2009-005582-001:

Count 1: For a period of 3 years.

Count 2: For a period of 3 years.

IT IS ORDERED that probation in Counts 1 and 2 shall run concurrent with probation in CR2009-005582-001 and CR2008-161736-001.

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

FINE: Count 1 - Total amount of \$1,858.13, which includes surcharges of 80%, payable \$25.00 per month beginning date to be determined by the Adult Probation Department.

ASSESSMENTS:

Count 1: \$698.44 to the Prison Construction and Operations Fund, payable \$25.00 per month, beginning date to be determined by the Adult Probation Department.

Count 1: \$148.43 to the DUI Incarceration Costs, payable \$25.00 per month, beginning date to be determined by the Adult Probation Department.

All amounts payable through the Clerk of the Superior Court.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

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The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

The probation violation report is filed under CR2008-161736-001.

3:18 p.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ HON. SALLY S. DUNCAN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)